

Remarks

Applicants respectfully request entry of new claim 546. New claim 546 depends from independent claim 505 and specifies that the first base sequence of the claimed amplification oligonucleotide contains a cluster of least four ribonucleotides modified to include a 2'-O-methyl substitution to the ribofuranosyl moiety. This language is identical to that used to describe modified amplification oligonucleotides in allowed claims 492, 517 and 534. As noted in Applicants' Reply dated September 17, 2002, this language is fully supported by the specification, which defines a "cluster" of four modified ribonucleotides to be four of five consecutive ribonucleotides which are modified to include a 2'-O-methyl substitution to the ribofuranosyl moiety. *See, e.g.*, specification at page 13, lines 18-19. Accordingly, new claim 546 does not introduce new matter.

Applicants submit that the subject application is in condition for allowance and early Notice to that effect is respectfully requested.

Please charge the excess claims fee due under 37 C.F.R. § 1.16(c), and any other fee which may be due, to Deposit Account 07-0835 in the name of Gen-Probe Incorporated.

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AMENDMENT

Serial No. 09/523,237
Atty. Docket No. GP068-03.CN1

Certificate of Mailing

I hereby certify that this correspondence (and any referred to as attached) is being deposited on the date indicated below with the U.S. Postal Service as first class mail addressed to Box RCE, Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,



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